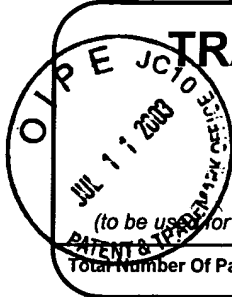


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 TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/756,551
	Filing Date	January 8, 2001
	First Named Inventor	Casey D. MORROW
	Group Art Unit	1632
	Examiner Name	Joseph T. Woitach
Total Number Of Pages In This Submission	7	Attorney Docket No. 532572000104

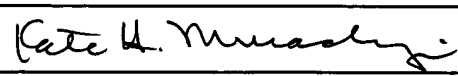
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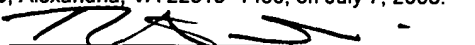
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Kate H. Murashige, Registration No. 29,959 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, CA 92130-2332
Signature	
Date	July 7, 2003

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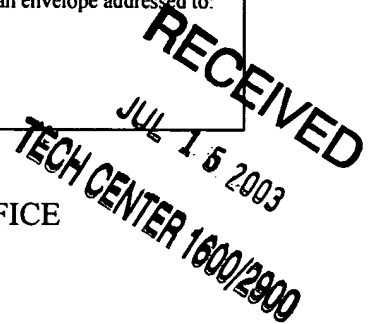
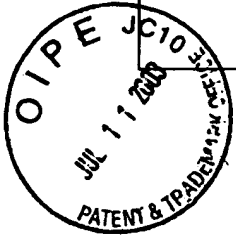

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Ruth Saskowski



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Casey D. MORROW, et al.

Serial No.: 09/756,551

Filing Date: January 8, 2001

For: ENCAPSIDATED RECOMBINANT
POLIOVIRUS NUCLEIC ACID AND
METHODS OF MAKING AND USING
SAME

Examiner: Joseph T. Voitach

Group Art Unit: 1632

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents, numbers 1-2, 7, 9-10, 12, 15, 20, 25, and 29-30, are also submitted herewith. Copies of all other documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related applications, Serial Number 09/376,184, filed August 17, 1999, Serial Number 08/987,867, filed December 9, 1997, and Serial Number 08/389,459, filed February 15, 1995, and, accordingly, copies are not included herewith. This protocol conforms

with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 532572000104. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

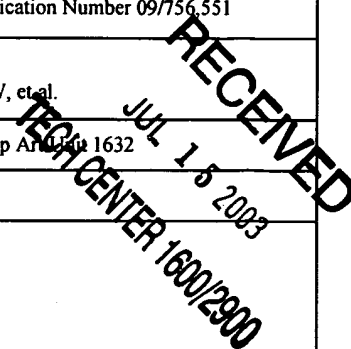
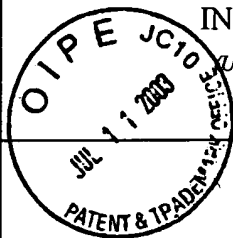
Dated: July 7, 2003

Respectfully submitted,

By: Kate H. Murashige
Kate H. Murashige
Registration No. 29,959

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Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number 532572000104	Application Number 09/756,551
	Applicant Casey D. MORROW, et al.	
	Filing Date January 8, 2001	Group Art Unit 1632
	Mailing Date July 7, 2003	



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	06/1990	EP 0602687	EP			
	2.	06/1992	WO 92/10578	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	3.	Ansardi, D.C. et al., "Coinfection with Recombinant Vaccinia Viruses Expressing Poliovirus P1 and P3 Proteins Results in Polyprotein Processing and Formation of Empty Capsid Structures" J. Virol. 65(4):2088-2092 (1991)
	4.	Ansardi, D.C. et al., "Complementation of a Poliovirus Defective Genome by a Recombinant Vaccinia Virus which Provides Poliovirus P1 Capsid Precursor In Trans" J. Virol. 67(6):3684-3690 (1993)
	5.	Ansardi, D.C. et al., "Molecular Analysis of Poliovirus Assembly Using Recombinant Vaccinia Viruses to Complement a Poliovirus Genome with a Capsid Gene Deletion" J. Cell Biochem. Suppl. 17 D:22, M301 (1993)
	6.	Ansardi, D.C. et al., "Myristylation of Poliovirus Capsid Precursor P1 is Required for Assembly of Subviral Particles" J. Virol. 66(7):4556-4563 (1992)
	7.	Bass, J.W. et al., "Oral Polio Vaccine: Effect of Booster Vaccination One to Fourteen Years after Primary Series" JAMA 239(21):2252-2255 (1979)
	8.	Bohm, W. et al., "DNA Vector Constructs that Prime Hepatitis B Surface Antigen-Specific Cytotoxic T Lymphocyte and Antibody Responses in Mice after Intramuscular Injection" Journal of Immunological Methods 193:29-40 (1996)
	9.	Brooks, G.F., et al. (eds.), "General Properties of Viruses" Chapter 32 In Medical Microbiology 21 st Ed., Appleton & Lange, Stamford, CT pp.366-388 (1991)
	10.	Chatfield et al., "Construction of a Genetically Defined Salmonella Typhi Ty2 aroA, aeorC Mutant

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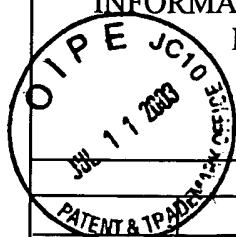
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for the Engineering of a Candidate Oral Typhoid-Tetanus Vaccine" Vaccine 10:53-60 (1992)

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| 11. | Choi, W.S. et al., "Expression of Human Immunodeficiency Virus Type 1 (HIV-1) Gag, Pol, and Env Poliovirus Minireplicons" J. Virol. 65(6):2875-2883 (1991) |
| 12. | Conry, R.M. et al., "Abstract from the Nov. 1-4, 1995 10 th Annual Scientific Meeting of the Society for Biological Therapy, Williamsburg, VA" J. Immunol. (1995) |
| 13. | Evans, D.J. et al., "An Engineered Poliovirus Chimaera Elicits Broadly Reactive HIV-1 Neutralizing Antibodies" Nature 339:385-388 (1989) |
| 14. | Fox, J.L., "No Winners Against AIDS" Bio/Technology 12:128 (1994) |
| 15. | Hagino-Yamagishi, K. and Nomoto, A., "In Vitro Construction of Poliovirus Defective Interfering Particles" Journal of Virology 63(12):5386-5392 (1989) |
| 16. | Haynes, B.F., "Scientific and Social Issues of Human Immunodeficiency Virus Vaccine Development" Science 260:1279-1286 (1993) |
| 17. | Jenkins, O. et al., "An Antigen Chimera of Poliovirus Induces Antibodies against Human Papillomavirus Type 16" J. Virol. 64(3):1201-1206 (1990) |
| 18. | Kantor, J. et al., "Antitumor Activity and Immune Responses Induced by a Recombinant Carcinoembryonic Antigen-Vaccinia Virus Vaccine" J. Natl. Cancer Institute 84:1084-1091 (1992) |
| 19. | Knuth, A. et al., "Cellular and Humoral Immune Responses against Cancer: Implications for Cancer Vaccines" Current Opinion in Immunology 3:659-664 (1991) |
| 20. | Koch, F. and Koch, G., "Classification" Chapter 2 <i>In The Molecular Biology of the Poliovirus</i> (Springer-Verlag, Vienna) pp.15-24 (1985) |
| 21. | Ledley, F., "Clinical Considerations in the Design of Protocols for Somatic Gene Therapy" Human Gene Therapy 2:77-83 (1991) |
| 22. | Mandl, S. et al., "Poliovirus Vaccine Vectors Elicit Antigen-Specific Cytotoxic T Cells and Protect Mice Against Lethal Challenge with Malignant Melanoma Cells Expressing a Model Antigen" Proc. Natl. Acad. Sci. USA 95:8216-8221 (1998) |
| 23. | McGhee, J.R. and Mestecky, J., "The Mucosal Immune System in HIV Infection and Prospects for Mucosal Immunity to AIDS" AIDS Research Reviews, W.C. Koff et al. (eds.), New York: Marcel Dekker, Inc., 2:Ch. 15, pp.289-312 (1992) |
| 24. | Moldoveanu, Z. et al., "Immune Responses Induced by Administration of Encapsidated Poliovirus Replicons which Express HIV-1 Gag and Env Proteins" FASEB J. 9(3):A214, No. 1247 (1995) |
| 25. | Ogra, P.L. and Karzon, D.T., "Formation and Function of Poliovirus Antibody in Different Tissues" Prog. Med. Virol. 13:156-193 (1971) |
| 26. | Percy, N. et al., "A Poliovirus Replicon Containing the Chloramphenicol Acetyltransferase Gene Can Be Used to Study the Replicon and Ancapsidation of Poliovirus RNA" J. Virol. 66(8):5040-5046 (1992) |
| 27. | Porter, D.C. et al., "Expression of Poliovirus P3 Proteins Using a Recombinant Vaccinia Virus |

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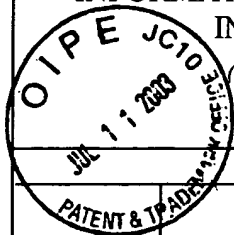
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|-----|---|
| 28. | Porter, D.C. et al., "Encapsidation of Chimeric HIV-1-Poliovirus Minireplicons" J. Cell Biochim. Suppl. 17 D:26, M317 |
| 29. | Restifo et al., "A Nonimmunogenic Sarcoma Transduced with the cDNA for Interferon Gamma Elicits CD8+ T Cells against the Wild-Type Tumor: Correlation with Antigen Presentation Capability" J. Experimental Medicine 175:1423-1431 (1992) |
| 30. | Rueckert, R., "Picornaviridae and Their Replication" Chapter 20 In <u>Fields Virology</u> 2d Ed., (Fields, B.N. et al., eds.) Raven Press, New York; pp.507-548 (1990) |
| 31. | Verma, I. And Somia, N., "Gene Therapy-Promises, Problems and Prospects" Nature 389:239-242 (1997) |

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